

### REMARKS

Applicant thanks the Examiner for the careful review of this application. Claim 12 was amended to clarify aspects of the present invention. Claims 1-11 and 13-32 were previously canceled without prejudice. No new matter was added. Claims 12 and 33-35 remain pending in this application.

### SPECIFICATION OBJECTION

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the Examiner objected to "stamping predetermined breaking points into said length of extruded plastic" of claim 12. Applicant has amended claim 12 such that it now recites --marking predetermined breaking points into said length of extruded plastic--. Support for this amendment can be found in the specification, starting at page 6, line 1 and is reproduced here for the Examiner's convenience (emphasis added):

**"Fig 1A shows a first extruded length of clamp section, Lines 1 in the figure indicate that, for example, a multiplicity of clamps may be cut from the extrusion in the width prescribed by the distance between the lines, or broken off at marked predetermined breaking points, with it being possible, however, that the clamp has the entire width shown. For such an eventuality hole 2 is provided, by means of which the clamp may be hung on a hook."**

Withdrawal of the specification objection is respectfully requested.

### DRAWINGS

Corrected drawings, incorporating the approved corrections and addressing the Official Draftperson's comments, are being submitted concurrently under a separate paper. Further, amendments to the specification have been made for clarification. No new matter has been added.

### CLAIM OBJECTIONS

Claim 12 was objected to because it did not end in a period. The claim 12 clerical error has been corrected via the preceding amendment. Withdrawal of the objection to claim 12 is respectfully requested.

#### REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 12 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over D'Eugenio (U.S. Patent No. 3,832,757) in view of Parmenter (U.S. Patent Application No. 3,818,553). Claims 33 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over D'Eugenio in view of Parmenter and further in view of Brown (U.S. Patent No. 5,301,393). Applicant respectfully traverses for the following reasons.

#### Prior Art

D'Eugenio apparently discloses a process for producing clothes-pins and a clothes-pin formed by the extrusion of a strip of plastics material, transversely cutting said strip into a plurality of clothes-pin elements and assembling said elements in pairs to form a clothes-pin.

Parmenter apparently discloses bag closure clips that are contained in a continuous molded plastic strip to be rolled in a coil for storage in an automatic bagging machine. The closure clips are separated from the continuous strip and applied to the neck of a bread bag or the like to close the bag. Each closure clip includes a flat base having a transverse notch or hinge which divides each base into a pair of hinged legs, a separately upwardly extending hook formed integrally with each leg, and a separate flange extending downwardly and outwardly from the outer edge of each leg. When the strip is rolled into a coil, the flanges engage hooks projecting from the closures in an adjacent layer of the roll, which keeps adjacent layers of the roll aligned with each other, and thereby facilitates use of the closure strip in an automatic bagging machine. The clip is applied to a bag by folding the legs about the hinge and releasably engaging the hooks in a snap fit. A second hinge formed from their engaged position when the clip is removed from the bag.

Brown apparently discloses a spring biased clip comprising a pair of clamping elements hingedly connected together in combination with a spring. The clamping elements have hinge and spring components and are integral male and female snap connection elements which are

extruded to form stock materials, which can then be cut to length and assembled by a snap connection.

**Prior Art Distinguished**

Embodiments of the invention are directed to a process for manufacturing clamping devices such that a length of plastic is extruded to form a multiplicity of clamping devices, the extruded plastic is marked with predetermined breaking points, a biasing force is applied and then the clamping devices are severed. In marked contrast, D'Eugenio's discloses extruding two flows of plastic to form symmetrical halves of clothes pins. Each symmetrical half clothes pin then needs to be broken apart and mated with another symmetrical half clothes pin to finally form the whole clothes pin. This is further detailed in the abstract and is reproduced here for the Examiner's convenience:

**"A process for producing clothes-pins and a clothes-pin formed by the extrusion of a strip of plastics material, transversely cutting said strip into a plurality of clothes-pin elements and assembling said elements in pairs to form a clothes-pin."**

Advantageously, the present invention does not suffer from the deficiency of having to extrude multiple flows of plastic, breaking the plastic apart and then forming the clamp. Rather simply, the present invention merely requires one flow of plastic needs to be extruded and snapped part to form the clamp.

Claims 33-35 depend directly or indirectly from independent claim 12 and are allowable at least for the reasons set forth for independent claim 12. Withdrawal of the rejections of claims 12 and 33-35 is respectfully requested.

## CONCLUSION

Applicant believes that all pending claims are allowable and a Notice of Allowance is respectfully requested. The amendment was made to expedite the prosecution of this application. Applicant respectfully traverses the rejections of the amended claims and reserves the right to re-introduce them and claims of an equivalent scope in a continuation application.

If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel at the number set out below.

Respectfully submitted,  
PERKINS COIE LLP



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